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and BRENDA ALCANTARA

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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**
12

13 URSULA BYRAM, S.B. by and
14 through guardian ad litem TIMOTHY
BYRAM, N.B. by and through guardian
15 ad litem TIMOTHY BYRAM, and A.B.
by and through guardian ad litem
16 KAITLYN HUMENCHUK,
individually and as successors-in-
17 interest to Everett Byram,

18 Plaintiffs,

19 v.

20 COUNTY OF LOS ANGELES,
BLAKE RUNGE, and BRENDA
21 ALCANTARA,

22 Defendants.
23
24

Case No. 2:23-cv-09285-KS

**DEFENDANT BRENDA
ALCANTARA'S ANSWER TO
PLAINTIFFS' FIRST AMENDED
COMPLAINT; DEMAND FOR
JURY TRIAL**

[Assigned to Hon. Karen L. Stevenson,
Courtroom 580]

25 Pursuant to Rule 8(b) of the Federal Rules of Civil Procedure, Defendant
26 BRENDA ALCANTARA ("Defendant") for herself alone and for no other persons,
27 entities, firms or corporations, answers to the Complaint for Damages of Plaintiffs
28 URSULA BYRAM, S.B. and N.B. by and through their guardian ad litem,

1 TIMOTHY BYRAM; and A.B. by and through his guardian ad litem KAITLYN
2 HUMENCHUK ("Plaintiffs"). If an averment is not specifically admitted, it is
3 hereby denied.

4 **INTRODUCTION**

5 1. In answer to paragraph 1, Defendant admits this action is seeking
6 compensatory and punitive damages from Defendant for violating various rights
7 under the United States Constitution and state law in connection with the alleged
8 shooting of decedent, EVERETT BYRAM, on February 10, 2023. However,
9 Defendant denies that Plaintiffs are entitled to an award of damages, or any other
10 form of relief as requested in the Complaint as a result of any acts or omissions by
11 this answering Defendant. As to the remaining allegations contained in said
12 paragraph, Defendant is without sufficient knowledge or information to form a
13 belief as to the truth of the allegations contained in said paragraph, and on that basis,
14 Defendant denies each and every allegation contained herein.

15 **JURISDICTION AND VENUE**

16 2. In answer to paragraph 2, Defendant acknowledges that Plaintiffs are
17 bringing this action pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3)-(4) for claims
18 arising under the laws of the United States including 42 U.S.C. § 1983 and the
19 Fourth Amendment of the United States Constitution. Defendant admits that venue
20 is proper.

21 3. In answering paragraph 3, Defendant further acknowledges that there is
22 supplemental jurisdiction over Plaintiffs' state law claims pursuant to 28 U.S.C. §
23 1367(a). Defendant admits that venue is proper.

24 4. In answer to paragraph 4, Defendant admits venue is proper.

25 5. In answer to paragraph 5, Defendant states that these allegations are not
26 asserted against this answering Defendant, and no response is required. To the
27 extent a response is required, Defendant is without sufficient knowledge or
28 information to form a belief as to the truth of the allegations contained in said

1 paragraph, and on that basis, Defendant denies each and every allegation contained
 2 herein.

3 6. In answer to paragraph 6, Defendant states that these allegations are not
 4 asserted against this answering Defendant, and no response is required. To the
 5 extent a response is required, Defendant is without sufficient knowledge or
 6 information to form a belief as to the truth of the allegations contained in said
 7 paragraph, and on that basis, Defendant denies each and every allegation contained
 8 herein. Defendant further denies the allegations of said paragraph as they are vague.

9 PARTIES

10 7. In answer to paragraph 7, Defendant is without sufficient knowledge or
 11 information to form a belief as to the truth of the allegations contained in said
 12 paragraph, and on that basis, Defendant denies each and every allegation contained
 13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 8. In answer to paragraph 8, Defendant is without sufficient knowledge or
 15 information to form a belief as to the truth of the allegations contained in said
 16 paragraph, and on that basis, Defendant denies each and every allegation contained
 17 herein. Defendant further denies the allegations of said paragraph as they are vague.

18 9. In answer to paragraph 9, Defendant is without sufficient knowledge or
 19 information to form a belief as to the truth of the allegations contained in said
 20 paragraph, and on that basis, Defendant denies each and every allegation contained
 21 herein. Defendant further denies the allegations of said paragraph as they are vague.

22 10. In answer to paragraph 10, Defendant is without sufficient knowledge
 23 or information to form a belief as to the truth of the allegations contained in said
 24 paragraph, and on that basis, Defendant denies each and every allegation contained
 25 herein. Defendant further denies the allegations of said paragraph as they are vague.

26 11. In answer to paragraph 11, Defendant is without sufficient knowledge
 27 or information to form a belief as to the truth of the allegations contained in said
 28 paragraph, and on that basis, Defendant denies each and every allegation contained

1 herein. Defendant further denies the allegations of said paragraph as they are vague.

2 12. In answer to paragraph 12, Defendant states that these allegations are
3 not asserted against this answering Defendant, and no response is required. To the
4 extent a response is required, Defendant is without sufficient knowledge or
5 information to form a belief as to the truth of the allegations contained in said
6 paragraph, and on that basis, Defendant denies each and every allegation contained
7 herein. Defendant further denies the allegations of said paragraph as they are vague.

8 13. In answer to paragraph 13, Defendant admits that RUNGE and
9 ALCANTARA were a duly appointed County Sheriff's Deputies. As to the
10 remainder of the allegations contained in said paragraph, Defendant is without
11 sufficient knowledge or information to form a belief as to the truth of the allegations
12 contained in said paragraph, and on that basis, Defendant denies each and every
13 allegation contained herein. Defendant further denies the allegations of said
14 paragraph as they are vague.

15 14. In answer to paragraph 14, Defendant is without sufficient knowledge
16 or information to form a belief as to the truth of the allegations contained in said
17 paragraph, and on that basis, Defendant denies each and every allegation contained
18 herein. Defendant further denies the allegations of said paragraph as they are vague.

19 15. In answer to paragraph 15, Defendant is without sufficient knowledge
20 or information to form a belief as to the truth of the allegations contained in said
21 paragraph, and on that basis, Defendant denies each and every allegation contained
22 herein. Defendant further denies the allegations of said paragraph as they are vague.

23 16. In answer to paragraph 16, Defendant is without sufficient knowledge
24 or information to form a belief as to the truth of the allegations contained in said
25 paragraph, and on that basis, Defendant denies each and every allegation contained
26 herein. Defendant further denies the allegations of said paragraph as they are vague.

27 17. In answer to paragraph 17, Defendant states that this allegation is not
28 asserted against the answering Defendant, and no response is required. To the extent

1 that a response is required, Defendant is without sufficient knowledge or
 2 information to form a belief as to the truth of the allegations contained in said
 3 paragraph, and on that basis, Defendant denies each and every allegation contained
 4 herein. Defendant further denies the allegations of said paragraph as they are vague.

5 18. In answer to paragraph 18, Defendant is without sufficient knowledge
 6 or information to form a belief as to the truth of the allegations contained in said
 7 paragraph, and on that basis, Defendant denies each and every allegation contained
 8 herein. Defendant further denies the allegations of said paragraph as they are vague.

9 **FACTS COMMON TO ALL CLAIMS FOR RELIEF**

10 19. In answer to paragraph 19, Defendant is without sufficient knowledge
 11 or information to form a belief as to the truth of the allegations contained in said
 12 paragraph, and on that basis, Defendant denies each and every allegation contained
 13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 20. In answer to paragraph 20, Defendant is without sufficient knowledge
 15 or information to form a belief as to the truth of the allegations contained in said
 16 paragraph, and on that basis, Defendant denies each and every allegation contained
 17 herein. Defendant further denies the allegations of said paragraph as they are vague.

18 21. In answer to paragraph 21, Defendant is without sufficient knowledge
 19 or information to form a belief as to the truth of the allegations contained in said
 20 paragraph, and on that basis, Defendant denies each and every allegation contained
 21 herein. Defendant further denies the allegations of said paragraph as they are vague.

22 22. In answer to paragraph 22, Defendant is without sufficient knowledge
 23 or information to form a belief as to the truth of the allegations contained in said
 24 paragraph, and on that basis, Defendant denies each and every allegation contained
 25 herein. Defendant further denies the allegations of said paragraph as they are vague.

26 23. In answer to paragraph 23, Defendant is without sufficient knowledge
 27 or information to form a belief as to the truth of the allegations contained in said
 28 paragraph, and on that basis, Defendant denies each and every allegation contained

1 herein. Defendant further denies the allegations of said paragraph as they are vague.

2 24. In answer to paragraph 24, Defendant is without sufficient knowledge
3 or information to form a belief as to the truth of the allegations contained in said
4 paragraph, and on that basis, Defendant denies each and every allegation contained
5 herein. Defendant further denies the allegations of said paragraph as they are vague.

6 25. In answer to paragraph 25, Defendant is without sufficient knowledge
7 or information to form a belief as to the truth of the allegations contained in said
8 paragraph, and on that basis, Defendant denies each and every allegation contained
9 herein. Defendant further denies the allegations of said paragraph as they are vague.

10 26. In answer to paragraph 26, Defendant is without sufficient knowledge
11 or information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 27. In answer to paragraph 27, Defendant is without sufficient knowledge
15 or information to form a belief as to the truth of the allegations contained in said
16 paragraph, and on that basis, Defendant denies each and every allegation contained
17 herein. Defendant further denies the allegations of said paragraph as they are vague.

18 28. In answer to paragraph 28, Defendant is without sufficient knowledge
19 or information to form a belief as to the truth of the allegations contained in said
20 paragraph, and on that basis, Defendant denies each and every allegation contained
21 herein. Defendant further denies the allegations of said paragraph as they are vague.

22 29. In answer to paragraph 29, Defendant is without sufficient knowledge
23 or information to form a belief as to the truth of the allegations contained in said
24 paragraph, and on that basis, Defendant denies each and every allegation contained
25 herein. Defendant further denies the allegations of said paragraph as they are vague.

26 30. In answer to paragraph 30, Defendant is without sufficient knowledge
27 or information to form a belief as to the truth of the allegations contained in said
28 paragraph, and on that basis, Defendant denies each and every allegation contained

1 herein. Defendant further denies the allegations of said paragraph as they are vague.

2 31. In answer to paragraph 31, Defendant is without sufficient knowledge
3 or information to form a belief as to the truth of the allegations contained in said
4 paragraph, and on that basis, Defendant denies each and every allegation contained
5 herein. Defendant further denies the allegations of said paragraph as they are vague.

6 32. In answer to paragraph 32, Defendant is without sufficient knowledge
7 or information to form a belief as to the truth of the allegations contained in said
8 paragraph, and on that basis, Defendant denies each and every allegation contained
9 herein. Defendant further denies the allegations of said paragraph as they are vague.

10 33. In answer to paragraph 33, Defendant is without sufficient knowledge
11 or information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 34. In answer to paragraph 34, Defendant is without sufficient knowledge
15 or information to form a belief as to the truth of the allegations contained in said
16 paragraph, and on that basis, Defendant denies each and every allegation contained
17 herein. Defendant further denies the allegations of said paragraph as they are vague.

18 35. In answer to paragraph 35, Defendant states that these allegations are
19 not asserted against this answering Defendant, and no response is required. To the
20 extent a response is required, Defendant is without sufficient knowledge or
21 information to form a belief as to the truth of the allegations contained in said
22 paragraph, and on that basis, Defendant denies each and every allegation contained
23 herein. Defendant further denies the allegations of said paragraph as they are vague.

24 36. In answer to paragraph 36, Defendant states that these allegations are
25 not asserted against this answering Defendant, and no response is required. To the
26 extent a response is required, Defendant is without sufficient knowledge or
27 information to form a belief as to the truth of the allegations contained in said
28 paragraph, and on that basis, Defendant denies each and every allegation contained

1 herein. Defendant further denies the allegations of said paragraph as they are vague.

2 37. In answer to paragraph 37, Defendant states that these allegations are
3 not asserted against this answering Defendant, and no response is required. To the
4 extent a response is required, Defendant is without sufficient knowledge or
5 information to form a belief as to the truth of the allegations contained in said
6 paragraph, and on that basis, Defendant denies each and every allegation contained
7 herein. Defendant further denies the allegations of said paragraph as they are vague.

8 38. In answer to paragraph 38, Defendant states that these allegations are
9 not asserted against this answering Defendant, and no response is required. To the
10 extent a response is required, Defendant is without sufficient knowledge or
11 information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 39. In answer to paragraph 39, Defendant is without sufficient knowledge
15 or information to form a belief as to the truth of the allegations contained in said
16 paragraph, and on that basis, Defendant denies each and every allegation contained
17 herein. Defendant further denies the allegations of said paragraph as they are vague.

18 40. In answer to paragraph 40, Defendant is without sufficient knowledge
19 or information to form a belief as to the truth of the allegations contained in said
20 paragraph, and on that basis, Defendant denies each and every allegation contained
21 herein. Defendant further denies the allegations of said paragraph as they are vague.

22 41. In answer to paragraph 41, Defendant is without sufficient knowledge
23 or information to form a belief as to the truth of the allegations contained in said
24 paragraph, and on that basis, Defendant denies each and every allegation contained
25 herein. Defendant further denies the allegations of said paragraph as they are vague.

26 42. In answer to paragraph 42, Defendant is without sufficient knowledge
27 or information to form a belief as to the truth of the allegations contained in said
28 paragraph, and on that basis, Defendant denies each and every allegation contained

herein. Defendant further denies the allegations of said paragraph as they are vague.

FIRST CAUSE OF ACTION

VIOLATION OF 42 U.S.C. § 1983 (EXCESSIVE FORCE)

(Plaintiffs against Defendant RUNGE)

43. In answer to paragraph 43, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

44. In answer to paragraph 44, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

45. In answer to paragraph 45, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

46. In answer to paragraph 46, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

47. In answer to paragraph 47, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

48. In answer to paragraph 48, Defendant states that these allegations are

1 not asserted against this answering Defendant, and no response is required. To the
2 extent a response is required, Defendant is without sufficient knowledge or
3 information to form a belief as to the truth of the allegations contained in said
4 paragraph, and on that basis, Defendant denies each and every allegation contained
5 herein. Defendant further denies the allegations of said paragraph as they are vague.

6 49. In answer to paragraph 49, Defendant states that these allegations are
7 not asserted against this answering Defendant, and no response is required. To the
8 extent a response is required, Defendant is without sufficient knowledge or
9 information to form a belief as to the truth of the allegations contained in said
10 paragraph, and on that basis, Defendant denies each and every allegation contained
11 herein. Defendant further denies the allegations of said paragraph as they are vague.

12 50. In answer to paragraph 50, Defendant states that these allegations are
13 not asserted against this answering Defendant, and no response is required. To the
14 extent a response is required, Defendant is without sufficient knowledge or
15 information to form a belief as to the truth of the allegations contained in said
16 paragraph, and on that basis, Defendant denies each and every allegation contained
17 herein. Defendant further denies the allegations of said paragraph as they are vague.

18 51. In answer to paragraph 51, Defendant states that these allegations are
19 not asserted against this answering Defendant, and no response is required. To the
20 extent a response is required, Defendant is without sufficient knowledge or
21 information to form a belief as to the truth of the allegations contained in said
22 paragraph, and on that basis, Defendant denies each and every allegation contained
23 herein. Defendant further denies the allegations of said paragraph as they are vague.

24 52. In answer to paragraph 52, Defendant states that these allegations are
25 not asserted against this answering Defendant, and no response is required. To the
26 extent a response is required, Defendant is without sufficient knowledge or
27 information to form a belief as to the truth of the allegations contained in said
28 paragraph, and on that basis, Defendant denies each and every allegation contained

1 herein. Defendant further denies the allegations of said paragraph as they are vague.

2 53. In answer to paragraph 53, Defendant states that these allegations are
3 not asserted against this answering Defendant, and no response is required. To the
4 extent a response is required, Defendant is without sufficient knowledge or
5 information to form a belief as to the truth of the allegations contained in said
6 paragraph, and on that basis, Defendant denies each and every allegation contained
7 herein. Defendant further denies the allegations of said paragraph as they are vague.

8 54. In answer to paragraph 54, Defendant states that these allegations are
9 not asserted against this answering Defendant, and no response is required. To the
10 extent a response is required, Defendant is without sufficient knowledge or
11 information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 55. In answer to paragraph 55, Defendant states that these allegations are
15 not asserted against the answering Defendant, and no response is required. To the
16 extent a response is required, Defendant denies that Plaintiffs are entitled to an
17 award of damages, or any other form of relief as requested in the Complaint as a
18 result of any acts or omissions by this answering Defendant. As to the remaining
19 allegations contained in said paragraph, Defendant is without sufficient knowledge
20 or information to form a belief as to the truth of the allegations contained in said
21 paragraph, on that basis, denies each and every allegation against this Defendant
22 contained therein. Defendant further denies the allegations of said paragraph as they
23 are vague.

24 56. In answer to paragraph 56, Defendant states that these allegations are
25 not asserted against the answering Defendant, and no response is required. To the
26 extent a response is required, Defendant denies that Plaintiffs are entitled to an
27 award of damages, or any other form of relief as requested in the Complaint as a
28 result of any acts or omissions by this answering Defendant. As to the remaining

1 allegations contained in said paragraph, Defendant is without sufficient knowledge
 2 or information to form a belief as to the truth of the allegations contained in said
 3 paragraph, and on that basis, denies each and every allegation against this Defendant
 4 contained therein. Defendant further denies the allegations of said paragraph as they
 5 are vague.

6 **SECOND CLAIM FOR RELIEF**

7 **FOURTEENTH AMENDMENT - DENIAL OF FAMILIAL RELATIONSHIP**

8 **(42 U.S.C. §1983)**

9 **(Plaintiffs against Defendant RUNGE)**

10 57. In answer to paragraph 57, which incorporates by reference the
 11 allegations of other paragraphs of the pleading, Defendant to the same extent
 12 incorporates by reference the answers provided herein to those paragraphs.

13 58. In answer to paragraph 58, Defendant is without sufficient knowledge
 14 or information to form a belief as to the truth of the allegations contained in said
 15 paragraph, and on that basis, Defendant denies each and every allegation contained
 16 herein. Defendant further denies the allegations of said paragraph as they are vague.

17 59. In answer to paragraph 59, Defendant is without sufficient knowledge
 18 or information to form a belief as to the truth of the allegations contained in said
 19 paragraph, and on that basis, Defendant denies each and every allegation contained
 20 herein. Defendant further denies the allegations of said paragraph as they are vague.

21 60. In answer to paragraph 60, Defendant is without sufficient knowledge
 22 or information to form a belief as to the truth of the allegations contained in said
 23 paragraph, and on that basis, Defendant denies each and every allegation contained
 24 herein. Defendant further denies the allegations of said paragraph as they are vague.

25 61. In answer to paragraph 61, Defendant is without sufficient knowledge
 26 or information to form a belief as to the truth of the allegations contained in said
 27 paragraph, and on that basis, Defendant denies each and every allegation contained
 28 herein. Defendant further denies the allegations of said paragraph as they are vague.

1 62. In answer to paragraph 62, Defendant states that these allegations are
2 not asserted against this answering Defendant, and no response is required. To the
3 extent a response is required, Defendant is without sufficient knowledge or
4 information to form a belief as to the truth of the allegations contained in said
5 paragraph, and on that basis, Defendant denies each and every allegation contained
6 herein. Defendant further denies the allegations of said paragraph as they are vague.

7 63. In answer to paragraph 63, Defendant states that these allegations are
8 not asserted against this answering Defendant, and no response is required. To the
9 extent a response is required, Defendant is without sufficient knowledge or
10 information to form a belief as to the truth of the allegations contained in said
11 paragraph, and on that basis, Defendant denies each and every allegation contained
12 herein. Defendant further denies the allegations of said paragraph as they are vague.

13 64. In answer to paragraph 64, Defendant states that these allegations are
14 not asserted against this answering Defendant, and no response is required. To the
15 extent a response is required, Defendant is without sufficient knowledge or
16 information to form a belief as to the truth of the allegations contained in said
17 paragraph, and on that basis, Defendant denies each and every allegation contained
18 herein. Defendant further denies the allegations of said paragraph as they are vague.

19 65. In answer to paragraph 65, Defendant states that these allegations are
20 not asserted against this answering Defendant, and no response is required. To the
21 extent a response is required, Defendant is without sufficient knowledge or
22 information to form a belief as to the truth of the allegations contained in said
23 paragraph, and on that basis, Defendant denies each and every allegation contained
24 herein. Defendant further denies the allegations of said paragraph as they are vague.

25 66. In answer to paragraph 66, Defendant states that these allegations are
26 not asserted against this answering Defendant, and no response is required. To the
27 extent a response is required, Defendant is without sufficient knowledge or
28 information to form a belief as to the truth of the allegations contained in said

1 paragraph, and on that basis, Defendant denies each and every allegation contained
 2 herein. Defendant further denies the allegations of said paragraph as they are vague.

3 67. In answer to paragraph 67, Defendant states that these allegations are
 4 not asserted against the answering Defendant, and no response is required. To the
 5 extent a response is required, Defendant denies that Plaintiffs are entitled to an
 6 award of damages, or any other form of relief as requested in the Complaint as a
 7 result of any acts or omissions by this answering Defendant. As to the remaining
 8 allegations contained in said paragraph, Defendant is without sufficient knowledge
 9 or information to form a belief as to the truth of the allegations contained in said
 10 paragraph, and on that basis, Defendant denies each and every allegation contained
 11 herein. Defendant further denies the allegations of said paragraph as they are vague.

12 68. In answer to paragraph 68, Defendant states that these allegations are
 13 not asserted against the answering Defendant, and no response is required. To the
 14 extent a response is required, Defendant denies that Plaintiffs are entitled to an
 15 award of damages, or any other form of relief as requested in the Complaint as a
 16 result of any acts or omissions by this answering Defendant. As to the remaining
 17 allegations contained in said paragraph, Defendant is without sufficient knowledge
 18 or information to form a belief as to the truth of the allegations contained in said
 19 paragraph, and on that basis, Defendant denies each and every allegation contained
 20 herein. Defendant further denies the allegations of said paragraph as they are vague.

21 **THIRD CLAIM FOR RELIEF**

22 **FOURTH AMENDMENT – UNLAWFUL DETENTION (42 U.S.C. §1983)**

23 **(Plaintiff URSULA BYRAM against Defendant ALCANTARA)**

24 69. In answer to paragraph 69, which incorporates by reference the
 25 allegations of other paragraphs of the pleading, Defendant to the same extent
 26 incorporates by reference the answers provided herein to those paragraphs.

27 70. In answer to paragraph 70, Defendant is without sufficient knowledge
 28 or information to form a belief as to the truth of the allegations contained in said

1 paragraph, and on that basis, Defendant denies each and every allegation contained
 2 herein. Defendant further denies the allegations of said paragraph as they are vague.

3 71. In answer to paragraph 71, Defendant is without sufficient knowledge
 4 or information to form a belief as to the truth of the allegations contained in said
 5 paragraph, and on that basis, Defendant denies each and every allegation contained
 6 herein. Defendant further denies the allegations of said paragraph as they are vague.

7 72. In answer to paragraph 72, Defendant is without sufficient knowledge
 8 or information to form a belief as to the truth of the allegations contained in said
 9 paragraph, and on that basis, Defendant denies each and every allegation contained
 10 herein. Defendant further denies the allegations of said paragraph as they are vague.

11 73. In answer to paragraph 73, Defendant is without sufficient knowledge
 12 or information to form a belief as to the truth of the allegations contained in said
 13 paragraph, and on that basis, Defendant denies each and every allegation contained
 14 herein. Defendant further denies the allegations of said paragraph as they are vague.

15 74. In answer to paragraph 74, Defendant denies that Plaintiffs are entitled
 16 to an award of damages, or any other form of relief as requested in the Complaint as
 17 a result of any acts or omissions by this answering Defendant. As to the remaining
 18 allegations contained in said paragraph, Defendant is without sufficient knowledge
 19 or information to form a belief as to the truth of the allegations contained in said
 20 paragraph, and on that basis, Defendant denies each and every allegation contained
 21 herein. Defendant further denies the allegations of said paragraph as they are vague.

22 **FOURTH CLAIM FOR RELIEF**

23 **MUNICIPAL LIABILITY: UNCONSTITUTIONAL CUSTOM OR POLICY**

24 **(42 U.S.C. §1983)**

25 **(Plaintiffs against Defendant COUNTY OF LOS ANGELES)**

26 75. In answer to paragraph 75, which incorporates by reference the
 27 allegations of other paragraphs of the pleading, Defendant to the same extent
 28 incorporates by reference the answers provided herein to those paragraphs.

1 76. In answer to paragraph 76, Defendant states that these allegations are
2 not asserted against this answering Defendant, and no response is required. To the
3 extent a response is required, Defendant is without sufficient knowledge or
4 information to form a belief as to the truth of the allegations contained in said
5 paragraph, and on that basis, Defendant denies each and every allegation contained
6 herein. Defendant further denies the allegations of said paragraph as they are vague.

7 77. In answer to paragraph 77, Defendant states that these allegations are
8 not asserted against this answering Defendant, and no response is required. To the
9 extent a response is required, Defendant is without sufficient knowledge or
10 information to form a belief as to the truth of the allegations contained in said
11 paragraph, and on that basis, Defendant denies each and every allegation contained
12 herein. Defendant further denies the allegations of said paragraph as they are vague.

13 78. In answer to paragraph 78, Defendant states that these allegations are
14 not asserted against this answering Defendant, and no response is required. To the
15 extent a response is required, Defendant is without sufficient knowledge or
16 information to form a belief as to the truth of the allegations contained in said
17 paragraph, and on that basis, Defendant denies each and every allegation contained
18 herein. Defendant further denies the allegations of said paragraph as they are vague.

19 79. In answer to paragraph 79, Defendant states that these allegations are
20 not asserted against this answering Defendant, and no response is required. To the
21 extent a response is required, Defendant is without sufficient knowledge or
22 information to form a belief as to the truth of the allegations contained in said
23 paragraph, and on that basis, Defendant denies each and every allegation contained
24 herein. Defendant further denies the allegations of said paragraph as they are vague.

25 80. In answer to paragraph 80, Defendant states that these allegations are
26 not asserted against this answering Defendant, and no response is required. To the
27 extent a response is required, Defendant is without sufficient knowledge or
28 information to form a belief as to the truth of the allegations contained in said

1 paragraph, and on that basis, Defendant denies each and every allegation contained
2 herein. Defendant further denies the allegations of said paragraph as they are vague.

3 81. In answer to paragraph 81, Defendant states that these allegations are
4 not asserted against this answering Defendant, and no response is required. To the
5 extent a response is required, Defendant is without sufficient knowledge or
6 information to form a belief as to the truth of the allegations contained in said
7 paragraph, and on that basis, Defendant denies each and every allegation contained
8 herein. Defendant further denies the allegations of said paragraph as they are vague.

9 82. In answer to paragraph 82, Defendant states that these allegations are
10 not asserted against this answering Defendant, and no response is required. To the
11 extent a response is required, Defendant is without sufficient knowledge or
12 information to form a belief as to the truth of the allegations contained in said
13 paragraph, and on that basis, Defendant denies each and every allegation contained
14 herein. Defendant further denies the allegations of said paragraph as they are vague.

15 83. In answer to paragraph 83, Defendant states that these allegations are
16 not asserted against this answering Defendant, and no response is required. To the
17 extent a response is required, Defendant is without sufficient knowledge or
18 information to form a belief as to the truth of the allegations contained in said
19 paragraph, and on that basis, Defendant denies each and every allegation contained
20 herein. Defendant further denies the allegations of said paragraph as they are vague.

21 84. In answer to paragraph 84, Defendant states that these allegations are
22 not asserted against this answering Defendant, and no response is required. To the
23 extent a response is required, Defendant is without sufficient knowledge or
24 information to form a belief as to the truth of the allegations contained in said
25 paragraph, and on that basis, Defendant denies each and every allegation contained
26 herein. Defendant further denies the allegations of said paragraph as they are vague.

27 85. In answer to paragraph 85, Defendant states that these allegations are
28 not asserted against the answering Defendant, and no response is required. To the

1 extent a response is required, Defendant denies that Plaintiffs are entitled to an
 2 award of damages, or any other form of relief as requested in the Complaint as a
 3 result of any acts or omissions by this answering Defendant. As to the remaining
 4 allegations contained in said paragraph, Defendant is without sufficient knowledge
 5 or information to form a belief as to the truth of the allegations contained in said
 6 paragraph, and on that basis, Defendant denies each and every allegation contained
 7 herein. Defendant further denies the allegations of said paragraph as they are vague.

8 86. In answer to paragraph 86, Defendant states that these allegations are
 9 not asserted against the answering Defendant, and no response is required. To the
 10 extent a response is required, Defendant denies that Plaintiffs are entitled to an
 11 award of damages, or any other form of relief as requested in the Complaint as a
 12 result of any acts or omissions by this answering Defendant. As to the remaining
 13 allegations contained in said paragraph, Defendant is without sufficient knowledge
 14 or information to form a belief as to the truth of the allegations contained in said
 15 paragraph, and on that basis, Defendant denies each and every allegation contained
 16 herein. Defendant further denies the allegations of said paragraph as they are vague.

17 **FIFTH CLAIM FOR RELIEF**

18 **MUNICIPAL LIABILITY: FAILURE TO TRAIN (42 U.S.C. §1983)**

19 **(Plaintiffs against Defendant COUNTY OF LOS ANGELES)**

20 87. In answer to paragraph 87, which incorporates by reference the
 21 allegations of other paragraphs of the pleading, Defendant to the same extent
 22 incorporates by reference the answers provided herein to those paragraphs.

23 88. In answer to paragraph 88, Defendant states that these allegations are
 24 not asserted against this answering Defendant, and no response is required. To the
 25 extent a response is required, Defendant is without sufficient knowledge or
 26 information to form a belief as to the truth of the allegations contained in said
 27 paragraph, and on that basis, Defendant denies each and every allegation contained
 28 herein. Defendant further denies the allegations of said paragraph as they are vague.

1 89. In answer to paragraph 89, Defendant states that these allegations are
2 not asserted against this answering Defendant, and no response is required. To the
3 extent a response is required, Defendant is without sufficient knowledge or
4 information to form a belief as to the truth of the allegations contained in said
5 paragraph, and on that basis, Defendant denies each and every allegation contained
6 herein. Defendant further denies the allegations of said paragraph as they are vague.

7 90. In answer to paragraph 90, Defendant states that these allegations are
8 not asserted against this answering Defendant, and no response is required. To the
9 extent a response is required, Defendant is without sufficient knowledge or
10 information to form a belief as to the truth of the allegations contained in said
11 paragraph, and on that basis, Defendant denies each and every allegation contained
12 herein. Defendant further denies the allegations of said paragraph as they are vague.

13 91. In answer to paragraph 91, Defendant states that these allegations are
14 not asserted against this answering Defendant, and no response is required. To the
15 extent a response is required, Defendant is without sufficient knowledge or
16 information to form a belief as to the truth of the allegations contained in said
17 paragraph, and on that basis, Defendant denies each and every allegation contained
18 herein. Defendant further denies the allegations of said paragraph as they are vague.

19 92. In answer to paragraph 92, Defendant states that these allegations are
20 not asserted against this answering Defendant, and no response is required. To the
21 extent a response is required, Defendant is without sufficient knowledge or
22 information to form a belief as to the truth of the allegations contained in said
23 paragraph, and on that basis, Defendant denies each and every allegation contained
24 herein. Defendant further denies the allegations of said paragraph as they are vague.

25 93. In answer to paragraph 93, Defendant states that these allegations are
26 not asserted against this answering Defendant, and no response is required. To the
27 extent a response is required, Defendant is without sufficient knowledge or
28 information to form a belief as to the truth of the allegations contained in said

1 paragraph, and on that basis, Defendant denies each and every allegation contained
 2 herein. Defendant further denies the allegations of said paragraph as they are vague.

3 94. In answer to paragraph 94, Defendant states that these allegations are
 4 not asserted against this answering Defendant, and no response is required. To the
 5 extent a response is required, Defendant is without sufficient knowledge or
 6 information to form a belief as to the truth of the allegations contained in said
 7 paragraph, and on that basis, Defendant denies each and every allegation contained
 8 herein. Defendant further denies the allegations of said paragraph as they are vague.

9 95. In answer to paragraph 95, Defendant states that these allegations are
 10 not asserted against this answering Defendant, and no response is required. To the
 11 extent a response is required, Defendant is without sufficient knowledge or
 12 information to form a belief as to the truth of the allegations contained in said
 13 paragraph, and on that basis, Defendant denies each and every allegation contained
 14 herein. Defendant further denies the allegations of said paragraph as they are vague.

15 96. In answer to paragraph 96, Defendant states that these allegations are
 16 not asserted against the answering Defendant, and no response is required. To the
 17 extent a response is required, Defendant denies that Plaintiffs are entitled to an
 18 award of damages, or any other form of relief as requested in the Complaint as a
 19 result of any acts or omissions by this answering Defendant. As to the remaining
 20 allegations contained in said paragraph, Defendant is without sufficient knowledge
 21 or information to form a belief as to the truth of the allegations contained in said
 22 paragraph, and on that basis, Defendant denies each and every allegation contained
 23 herein. Defendant further denies the allegations of said paragraph as they are vague.

24 **SIXTH CLAIM FOR RELIEF**

25 **MUNICIPAL LIABILITY: RATIFICATION (42 U.S.C. §1983)**

26 **(Plaintiffs against Defendant COUNTY OF LOS ANGELES)**

27 97. In answer to paragraph 97, which incorporates by reference the
 28 allegations of other paragraphs of the pleading, Defendant to the same extent

1 incorporates by reference the answers provided herein to those paragraphs.

2 98. In answer to paragraph 98, Defendant states that these allegations are
3 not asserted against this answering Defendant, and no response is required. To the
4 extent a response is required, Defendant is without sufficient knowledge or
5 information to form a belief as to the truth of the allegations contained in said
6 paragraph, and on that basis, Defendant denies each and every allegation contained
7 herein. Defendant further denies the allegations of said paragraph as they are vague.

8 99. In answer to paragraph 99, Defendant states that these allegations are
9 not asserted against this answering Defendant, and no response is required. To the
10 extent a response is required, Defendant is without sufficient knowledge or
11 information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 100. In answer to paragraph 100, Defendant states that these allegations are
15 not asserted against this answering Defendant, and no response is required. To the
16 extent a response is required, Defendant is without sufficient knowledge or
17 information to form a belief as to the truth of the allegations contained in said
18 paragraph, and on that basis, Defendant denies each and every allegation contained
19 herein. Defendant further denies the allegations of said paragraph as they are vague.

20 101. In answer to paragraph 101, Defendant states that these allegations are
21 not asserted against this answering Defendant, and no response is required. To the
22 extent a response is required, Defendant is without sufficient knowledge or
23 information to form a belief as to the truth of the allegations contained in said
24 paragraph, and on that basis, Defendant denies each and every allegation contained
25 herein. Defendant further denies the allegations of said paragraph as they are vague.

26 102. In answer to paragraph 102, Defendant states that these allegations are
27 not asserted against this answering Defendant, and no response is required. To the
28 extent a response is required, Defendant is without sufficient knowledge or

1 information to form a belief as to the truth of the allegations contained in said
2 paragraph, and on that basis, Defendant denies each and every allegation contained
3 herein. Defendant further denies the allegations of said paragraph as they are vague.

4 103. In answer to paragraph 103, Defendant states that these allegations are
5 not asserted against this answering Defendant, and no response is required. To the
6 extent a response is required, Defendant is without sufficient knowledge or
7 information to form a belief as to the truth of the allegations contained in said
8 paragraph, and on that basis, Defendant denies each and every allegation contained
9 herein. Defendant further denies the allegations of said paragraph as they are vague.

10 104. In answer to paragraph 104, Defendant states that these allegations are
11 not asserted against the answering Defendant, and no response is required. To the
12 extent a response is required, Defendant denies that Plaintiffs are entitled to an
13 award of damages, or any other form of relief as requested in the Complaint as a
14 result of any acts or omissions by this answering Defendant. As to the remaining
15 allegations contained in said paragraph, Defendant is without sufficient knowledge
16 or information to form a belief as to the truth of the allegations contained in said
17 paragraph, and on that basis, Defendant denies each and every allegation contained
18 herein. Defendant further denies the allegations of said paragraph as they are vague.

19 105. In answer to paragraph 105, Defendant states that these allegations are
20 not asserted against the answering Defendant, and no response is required. To the
21 extent a response is required, Defendant denies that Plaintiffs are entitled to an
22 award of damages, or any other form of relief as requested in the Complaint as a
23 result of any acts or omissions by this answering Defendant. As to the remaining
24 allegations contained in said paragraph, Defendant is without sufficient knowledge
25 or information to form a belief as to the truth of the allegations contained in said
26 paragraph, and on that basis, Defendant denies each and every allegation contained
27 herein. Defendant further denies the allegations of said paragraph as they are vague.

28 ///

SEVENTH CLAIM FOR RELIEF

AMERICAN WITH DISABILITIES ACT (42 U.S.C. §12132)

(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)

106. In answer to paragraph 106, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

107. In answering to paragraph 107, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

108. In answer to paragraph 108, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

109. In answer to paragraph 109, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

110. In answer to paragraph 110, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained

1 herein. Defendant further denies the allegations of said paragraph as they are vague.

2 111. In answer to paragraph 111, Defendant states that these allegations are
3 not asserted against this answering Defendant, and no response is required. To the
4 extent a response is required, Defendant is without sufficient knowledge or
5 information to form a belief as to the truth of the allegations contained in said
6 paragraph, and on that basis, Defendant denies each and every allegation contained
7 herein. Defendant further denies the allegations of said paragraph as they are vague.

8 112. In answer to paragraph 112, Defendant states that these allegations are
9 not asserted against this answering Defendant, and no response is required. To the
10 extent a response is required, Defendant is without sufficient knowledge or
11 information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 113. In answer to paragraph 113, Defendant states that these allegations are
15 not asserted against this answering Defendant, and no response is required. To the
16 extent a response is required, Defendant is without sufficient knowledge or
17 information to form a belief as to the truth of the allegations contained in said
18 paragraph, and on that basis, Defendant denies each and every allegation contained
19 herein. Defendant further denies the allegations of said paragraph as they are vague.

20 114. In answer to paragraph 114, Defendant states that these allegations are
21 not asserted against the answering Defendant, and no response is required. To the
22 extent a response is required, Defendant denies that Plaintiffs are entitled to an
23 award of damages, or any other form of relief as requested in the Complaint as a
24 result of any acts or omissions by this answering Defendant. As to the remaining
25 allegations contained in said paragraph, Defendant is without sufficient knowledge
26 or information to form a belief as to the truth of the allegations contained in said
27 paragraph, and on that basis, Defendant denies each and every allegation contained
28 herein. Defendant further denies the allegations of said paragraph as they are vague.

EIGHTH CLAIM FOR RELIEF

BATTERY

(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)

115. In answer to paragraph 115, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

116. In answer to paragraph 116, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

117. In answer to paragraph 117, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

118. In answer to paragraph 118, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

119. In answer to paragraph 119, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said

paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

120. In answer to paragraph 120, Defendant states that these allegations are not asserted against the answering Defendant, and no response is required. To the extent a response is required, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant. As to the remaining allegations contained in said paragraph, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

121. In answer to paragraph 121, Defendant states that these allegations are not asserted against the answering Defendant, and no response is required. To the extent a response is required, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant. As to the remaining allegations contained in said paragraph, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

NINTH CLAIM FOR RELIEF

NEGLIGENCE

(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)

122. In answer to paragraph 122, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

123. In answer to paragraph 123, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the

1 extent a response is required, Defendant is without sufficient knowledge or
2 information to form a belief as to the truth of the allegations contained in said
3 paragraph, and on that basis, Defendant denies each and every allegation contained
4 herein. Defendant further denies the allegations of said paragraph as they are vague.

5 124. In answer to paragraph 124, Defendant states that these allegations are
6 not asserted against this answering Defendant, and no response is required. To the
7 extent a response is required, Defendant is without sufficient knowledge or
8 information to form a belief as to the truth of the allegations contained in said
9 paragraph, and on that basis, Defendant denies each and every allegation contained
10 herein. Defendant further denies the allegations of said paragraph as they are vague.

11 125. In answer to paragraph 125, Defendant states that these allegations are
12 not asserted against this answering Defendant, and no response is required. To the
13 extent a response is required, Defendant is without sufficient knowledge or
14 information to form a belief as to the truth of the allegations contained in said
15 paragraph, and on that basis, Defendant denies each and every allegation contained
16 herein. Defendant further denies the allegations of said paragraph as they are vague.

17 126. In answer to paragraph 126, Defendant states that these allegations are
18 not asserted against this answering Defendant, and no response is required. To the
19 extent a response is required, Defendant is without sufficient knowledge or
20 information to form a belief as to the truth of the allegations contained in said
21 paragraph, and on that basis, Defendant denies each and every allegation contained
22 herein. Defendant further denies the allegations of said paragraph as they are vague.

23 127. In answer to paragraph 127, Defendant states that these allegations are
24 not asserted against this answering Defendant, and no response is required. To the
25 extent a response is required, Defendant is without sufficient knowledge or
26 information to form a belief as to the truth of the allegations contained in said
27 paragraph, and on that basis, Defendant denies each and every allegation contained
28 herein. Defendant further denies the allegations of said paragraph as they are vague.

128. In answer to paragraph 128, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

129. In answer to paragraph 129, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

130. In answer to paragraph 130, Defendant states that these allegations are not asserted against the answering Defendant, and no response is required. To the extent a response is required, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant. As to the remaining allegations contained in said paragraph, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

TENTH CLAIM FOR RELIEF

FALSE IMPRISONMENT

(Plaintiff URSULA BYRAM against Defendant ALCANTARA)

131. In answer to paragraph 131, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

132. In answer to paragraph 132, Defendant states that these allegations are

1 not asserted against the answering Defendant, and no response is required. To the
2 extent a response is required, Defendant is without sufficient knowledge or
3 information to form a belief as to the truth of the allegations contained in said
4 paragraph, and on that basis, Defendant denies each and every allegation contained
5 herein. Defendant further denies the allegations of said paragraph as they are vague.

6 133. In answer to paragraph 133, Defendant is without sufficient knowledge
7 or information to form a belief as to the truth of the allegations contained in said
8 paragraph, and on that basis, Defendant denies each and every allegation contained
9 herein. Defendant further denies the allegations of said paragraph as they are vague.

10 134. In answer to paragraph 134, Defendant is without sufficient knowledge
11 or information to form a belief as to the truth of the allegations contained in said
12 paragraph, and on that basis, Defendant denies each and every allegation contained
13 herein. Defendant further denies the allegations of said paragraph as they are vague.

14 135. In answer to paragraph 135, Defendant states that these allegations are
15 not asserted against the answering Defendant, and no response is required. However,
16 to the extent a response is required, Defendant is without sufficient knowledge or
17 information to form a belief as to the truth of the allegations contained in said
18 paragraph, and on that basis, Defendant denies each and every allegation contained
19 herein. Defendant further denies the allegations of said paragraph as they are vague.

20 136. In answer to paragraph 136, Defendant denies that Plaintiffs are entitled
21 to an award of damages, or any other form of relief as requested in the Complaint as
22 a result of any acts or omissions by this answering Defendant. As to the remaining
23 allegations contained in said paragraph, Defendant is without sufficient knowledge
24 or information to form a belief as to the truth of the allegations contained in said
25 paragraph, and on that basis, Defendant denies each and every allegation contained
26 herein. Defendant further denies the allegations of said paragraph as they are vague.

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ELEVENTH CLAIM FOR RELIEF
VIOLATION OF CAL. CIV CODE § 52.1

(Plaintiffs against Defendants RUNGE and COUNTY OF LOS ANGELES)

137. In answer to paragraph 137, which incorporates by reference the allegations of other paragraphs of the pleading, Defendant to the same extent incorporates by reference the answers provided herein to those paragraphs.

138. In answer to paragraph 138, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

139. In answer to paragraph 139, Defendant denies Plaintiffs' overly simplistic statement of the Bane Act.

140. In answer to paragraph 140, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

141. In answer to paragraph 141, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the extent a response is required, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

142. In answer to paragraph 142, Defendant states that these allegations are not asserted against this answering Defendant, and no response is required. To the

1 extent a response is required, Defendant is without sufficient knowledge or
2 information to form a belief as to the truth of the allegations contained in said
3 paragraph, and on that basis, Defendant denies each and every allegation contained
4 herein. Defendant further denies the allegations of said paragraph as they are vague.

5 143. In answer to paragraph 143, Defendant states that these allegations are
6 not asserted against this answering Defendant, and no response is required. To the
7 extent a response is required, Defendant is without sufficient knowledge or
8 information to form a belief as to the truth of the allegations contained in said
9 paragraph, and on that basis, Defendant denies each and every allegation contained
10 herein. Defendant further denies the allegations of said paragraph as they are vague.

11 144. In answer to paragraph 144, Defendant states that these allegations are
12 not asserted against this answering Defendant, and no response is required. To the
13 extent a response is required, Defendant is without sufficient knowledge or
14 information to form a belief as to the truth of the allegations contained in said
15 paragraph, and on that basis, Defendant denies each and every allegation contained
16 herein. Defendant further denies the allegations of said paragraph as they are vague.

17 145. In answer to paragraph 145, Defendant states that these allegations are
18 not asserted against this answering Defendant, and no response is required. To the
19 extent a response is required, Defendant is without sufficient knowledge or
20 information to form a belief as to the truth of the allegations contained in said
21 paragraph, and on that basis, Defendant denies each and every allegation contained
22 herein. Defendant further denies the allegations of said paragraph as they are vague.

23 146. In answer to paragraph 146, Defendant states that these allegations are
24 not asserted against this answering Defendant, and no response is required. To the
25 extent a response is required, Defendant is without sufficient knowledge or
26 information to form a belief as to the truth of the allegations contained in said
27 paragraph, and on that basis, Defendant denies each and every allegation contained
28 herein. Defendant further denies the allegations of said paragraph as they are vague.

147. In answer to paragraph 147, Defendant states that these allegations are not asserted against the answering Defendant, and no response is required. To the extent a response is required, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant. As to the remaining allegations contained in said paragraph, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

148. In answer to paragraph 148, Defendant states that these allegations are not asserted against the answering Defendant, and no response is required. To the extent a response is required, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant. As to the remaining allegations contained in said paragraph, Defendant is without sufficient knowledge or information to form a belief as to the truth of the allegations contained in said paragraph, and on that basis, Defendant denies each and every allegation contained herein. Defendant further denies the allegations of said paragraph as they are vague.

PRAYER FOR RELIEF

149. In answer to page 40, lines 13-24, Defendant denies that Plaintiffs are entitled to an award of damages, or any other form of relief as requested in the Complaint as a result of any acts or omissions by this answering Defendant.

AFFIRMATIVE DEFENSES

Defendant pleads the following separate affirmative defenses. Defendant reserves the right to assert additional affirmative defenses that discovery indicates are proper.

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FIRST AFFIRMATIVE DEFENSE:

1. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' Complaint fails to state facts sufficient to constitute a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE:

2. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs failed to fully comply with the Government Tort Claims Act.

THIRD AFFIRMATIVE DEFENSE:

3. As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint and each claim contained therein, is barred on the ground that the Defendant was not the cause in fact or substantial cause of any alleged damage, injury, or loss to Plaintiffs, if any.

FOURTH AFFIRMATIVE DEFENSE:

4. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to the doctrine of unclean hands

FIFTH AFFIRMATIVE DEFENSE:

5. As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs lack standing to pursue any or all of the claims alleged in their Complaint.

SIXTH AFFIRMATIVE DEFENSE:

6. As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint, and each and every claim contained therein, and/or any amendments thereto, is barred by the applicable statute of limitations and/or *California Code of Civil Procedure* §335.1.

SEVENTH AFFIRMATIVE DEFENSE:

7. As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' Complaint fails to state a claim under 42 U.S.C. 1983 for

1 Fourth and Fourteenth Amendment violations upon which relief can be granted
2 against Defendant.

3 **EIGHTH AFFIRMATIVE DEFENSE:**

4 8. As a separate and distinct affirmative defense, Defendant is protected
5 from liability under the doctrine of qualified immunity.

6 **NINTH AFFIRMATIVE DEFENSE:**

7 9. As a separate and distinct affirmative defense, answering Defendant
8 alleges Plaintiffs' Complaint, and each and every claim contained therein, and/or any
9 amendments thereto, is barred by the applicable statute of limitations, including, but
10 not limited to, *California Code of Civil Procedure* § 335.1, 338, 339, 340, 342, 343,
11 and 583.210

12 **TENTH AFFIRMATIVE DEFENSE:**

13 10. As a separate and distinct affirmative defense, answering Defendant
14 alleges Plaintiffs' claims are barred by the failure of Plaintiffs to commence the
15 action within the time required by *California Government Code* §§ 910, et. seq.,
16 911.2, 911.4, 945.4, 945.6, 950.2, and 950.6.

17 **ELEVENTH AFFIRMATIVE DEFENSE:**

18 11. As a separate and distinct affirmative defense, answering Defendant
19 alleges they are not liable for alleged violations by non-policymakers of civil or
20 constitutional rights.

21 **TWELFTH AFFIRMATIVE DEFENSE:**

22 12. As a separate and distinct affirmative defense, answering Defendant
23 alleges Plaintiffs' Complaint, and each claim contained therein, is barred pursuant to
24 the equitable doctrine of waiver.

25 **THIRTEENTH AFFIRMATIVE DEFENSE:**

26 13. As a separate and distinct affirmative defense, defendant alleges that
27 Plaintiff's Third Amended Complaint, and each claim contained therein, is barred
28 pursuant to the equitable doctrine of laches.

FOURTEENTH AFFIRMATIVE DEFENSE:

14. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs are estopped by their own acts or omissions from recovery against answering Defendant for the claims asserted in the Complaint.

FIFTEENTH AFFIRMATIVE DEFENSE:

15. As a separate and distinct affirmative defense, answering Defendant alleges any injury to Plaintiffs was due to and caused by the negligence and omissions of Plaintiffs to care for themselves, which carelessness and negligence and omissions were the proximate cause of the damage, if any, to Plaintiffs.

SIXTEENTH AFFIRMATIVE DEFENSE:

16. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' alleged damages, if any, contained in the Complaint, were caused by persons and/or entities other than answering Defendant, who failed to exercise ordinary care, caution, prudence, and were negligent, or acted wrongfully in their dealing with Plaintiffs, and that at all times, said persons or entities were acting without consent, authorization, knowledge, and/or ratification of this answering Defendant. Accordingly, any recovery against answering Defendant by Plaintiffs, if any, must be precluded and/or reduced in a proportionate amount to the fault on the part of such other person(s) and/or entities.

SEVENTEENTH AFFIRMATIVE DEFENSE:

17. As a separate and distinct affirmative defense, to the extent Plaintiffs suffered any detriment, such detriment was caused or contributed to by Plaintiffs' negligence, and damages, if any, should be reduced in direct proportion to their fault.

EIGHTEENTH AFFIRMATIVE DEFENSE:

18. As a separate and distinct affirmative defense, answering Defendant alleges the conduct, if any, which is the subject of Plaintiffs' Complaint, was

absolutely and/or conditionally legally privileged, and/or justified. Further, all actions by answering Defendant were in good faith and reasonable.

NINETEENTH AFFIRMATIVE DEFENSE:

19. As a separate and distinct affirmative defense, answering Defendant alleges that it is not liable in that the injuries and damages, if any, were the result of the exercise of the discretion vested in public officers and employees.

TWENTIETH AFFIRMATIVE DEFENSE:

20. Defendant preserves and asserts any and all immunity rights under the California Government Code, including, but not limited to, *California Government Code* §§ 815.2, 818, 818.8, 820, 821.6, 821.8, 822.2, 844.6, 845, 845.2, 845.6, 850.8, 855, 856.2, and 856.4; and *California Penal Code* §§ 835, 835a, 836.5 and 847(b).

TWENTIETH-FIRST AFFIRMATIVE DEFENSE:

21. As a separate and distinct affirmative defense, answering Defendant alleges on or about the time, date, and place alleged in Plaintiffs' Complaint, the conduct of Plaintiffs and/or third persons or entity was of such nature as to constitute an independent, intervening, and superseding cause, which was the sole proximate cause of the injuries and damages allegedly suffered by Plaintiffs.

TWENTY-SECOND AFFIRMATIVE DEFENSE:

22. As a separate and distinct affirmative defense, answering Defendant alleges that its acts or omissions were discretionary, requiring personal deliberation, decision and judgment which were done honestly, reasonably and in good faith, and by virtue of which they are immune from liability.

TWENTY-THIRD AFFIRMATIVE DEFENSE:

23. As a separate and distinct affirmative defense, answering Defendant alleges that all claims set forth in Plaintiffs' Complaint are barred because Plaintiffs failed to take reasonable steps to mitigate their damages.

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TWENTY-FOURTH AFFIRMATIVE DEFENSE:

24. As a separate and distinct affirmative defense, answering Defendant is shielded from liability for civil damages insofar as the conduct in this case did not violate any statutory or constitutional right of which a reasonable person would have known.

TWENTY-FIFTH AFFIRMATIVE DEFENSE:

25. As a separate and distinct affirmative defense, Plaintiffs' claims are barred because the alleged violation of civil rights did not occur pursuant to a governmental policy, custom, practice, or procedure.

TWENTY-SIXTH AFFIRMATIVE DEFENSE:

26. As a separate and distinct affirmative defense, Plaintiffs' Complaint, and each claim contained therein, is barred by the doctrines of collateral estoppel and res judicata.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE:

27. As a separate and distinct affirmative defense, Plaintiffs' action is barred by the failure of Plaintiffs to join, in a timely fashion, indispensable and/or necessary parties to this action.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE:

28. As a separate and distinct affirmative defense, the actions of this answering Defendant in all respects were reasonable, proper, and legal.

TWENTY-NINTH AFFIRMATIVE DEFENSE:

29. As a separate and distinct affirmative defense, answering Defendant contends that Plaintiffs' damages, if any, should be in direct proportion to the fault of this answering Defendant, if any, as provided by *California Civil Code* §§ 1431 to 1431.5.

THIRTIETH AFFIRMATIVE DEFENSE:

30. As a separate and distinct affirmative defense, answering Defendant alleges it is not liable pursuant to *California Penal Code* §§ 835a, 836, 836.5(b), and

1 847(b), in that any physical force or contact utilized was reasonable to effect a
2 lawful arrest, or to prevent or overcome resistance.

3 **THIRTY-FIRST AFFIRMATIVE DEFENSE:**

4 31. As a separate and distinct affirmative defense, answering Defendant
5 alleges the force used was caused and necessitated by the actions of Plaintiffs, and
6 were reasonable and necessary for self-defense

7 **THIRTY-SECOND AFFIRMATIVE DEFENSE:**

8 32. As a separate and distinct affirmative defense, answering Defendant
9 alleges the force used was caused and necessitated by the actions of Plaintiffs, and
10 was reasonable and necessary for the defense of others.

11 **THIRTY-THIRD AFFIRMATIVE DEFENSE:**

12 33. As a separate and distinct affirmative defense, answering Defendant is
13 protected from liability under the doctrine of absolute immunity.

14 **THIRTY-FOURTH AFFIRMATIVE DEFENSE:**

15 34. As a separate and distinct affirmative defense, answering Defendant
16 alleges that it is not liable per the doctrine of Assumption of Risk.

17 **THIRTY-FIFTH AFFIRMATIVE DEFENSE:**

18 35. As a separate and distinct affirmative defense, answering Defendant
19 alleges that Plaintiffs' Complaint fails to state sufficient facts to entitle Plaintiffs to
20 claims of punitive or exemplary damages from Defendant as a matter of law.

21 **THIRTY-SIXTH AFFIRMATIVE DEFENSE:**

22 36. As a separate and distinct affirmative defense, answering Defendant
23 asserts that it is not liable for damages imposed primarily for the sake of example
24 and by way of punishing the Defendant.

25 **THIRTY-SEVENTH AFFIRMATIVE DEFENSE:**

26 37. As a separate and distinct affirmative defense, answering Defendant
27 alleges the conduct alleged in Plaintiffs' Complaint did not violate an interest
28 cognizable under 42 U.S.C. § 1983.

THIRTY-EIGHTH AFFIRMATIVE DEFENSE:

38. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims are barred by the doctrine of offset.

THIRTY-NINTH AFFIRMATIVE DEFENSE:

39. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims are barred by the doctrine of release.

FORTIETH AFFIRMATIVE DEFENSE:

40. As a separate and distinct affirmative defense, answering Defendant alleges they are immune from the claim for relief in Plaintiffs' Complaint due to the application of *California Code of Civil Procedure* § 262.1.

FORTY-FIRST AFFIRMATIVE DEFENSE:

41. As a separate and distinct affirmative defense, answering Defendant alleges that under *California Government Code* § 815(b), 815.4, and 820.2, a public entity and its employees, officers, and agents are not responsible for injury and damages resulting from the act or omission that was a result of an exercise of discretion vested in such officer, employee, or agent.

FORTY-SECOND AFFIRMATIVE DEFENSE:

42. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims are barred because answering Defendant holds sovereign immunity under the Eleventh Amendment of the United States Constitution.

FORTY-THIRD AFFIRMATIVE DEFENSE:

43. As a separate and distinct affirmative defense, answering Defendant alleges that it cannot be liable as any and all force used was objectively reasonable under the circumstances.

FORTY-FOURTH AFFIRMATIVE DEFENSE:

44. As a separate and distinct affirmative defense, answering Defendant alleges that Defendant BRENDA ALCANTARA sued in her official capacity is immune from the imposition of punitive damages.

FORTY-FIFTH AFFIRMATIVE DEFENSE:

45. As a separate and distinct affirmative defense, answering defendant alleges the Complaint fails to state sufficient facts to entitle Plaintiffs to claims of punitive damages from answering Defendant as a matter of law.

FORTY-SIXTH AFFIRMATIVE DEFENSE:

46. As a separate and distinct affirmative defense, answering Defendant alleges Plaintiffs' claims for municipal liability are barred as they are improperly pled by reference to the entire cases contrary to the *Federal Rules of Civil Procedure*, Rule 10(b).

FORTY-SEVENTH AFFIRMATIVE DEFENSE:

47. As a separate and distinct affirmative defense, answering Defendant alleges it is not liable for any injury, whether such injury arises out of an act or omission of the public entity or a public person or any other person pursuant to *California Government Code* § 815.

FORTY-EIGHTH AFFIRMATIVE DEFENSE:

48. As a separate and distinct affirmative defense, answering Defendant alleges that on or before the date of the subject incident, Plaintiffs knew or reasonably should have known the hazards or dangers involved and, as a result, voluntarily assumed the risks in and about the matters alleged in the Complaint.

FORTY-NINTH AFFIRMATIVE DEFENSE:

49. As a separate and distinct affirmative defense, answering Defendant alleges answering Defendant is not liable for the failure to discharge any mandatory duty in that they exercised reasonable diligence in the discharge of all duties as provided by *California Government Code* § 815.6.

FIFTIETH AFFIRMATIVE DEFENSE:

50. As a separate and distinct affirmative defense, answering Defendant alleges answering Defendant is not liable pursuant to statute by operation of

1 *California Government Code* §§ 818.2 and 821 for the adoption or failure to adopt
2 or enforce any law.

3 **FIFTY-FIRST AFFIRMATIVE DEFENSE:**

4 51. As a separate and distinct affirmative defense, answering Defendant
5 alleges answering Defendant is not liable by operation of *California Government*
6 *Code* §§ 815.2(b) and 820.2 for injury resulting from an act or omission where the
7 act or omission was the result of the exercise of the discretion vested in answering
8 Defendant, whether or not such discretion be abused.

9 **FIFTY-SECOND AFFIRMATIVE DEFENSE:**

10 52. As a separate and distinct affirmative defense, answering Defendant
11 alleges answering Defendant is not liable by operation of *California Government*
12 *Code* §§ 815.2(b) and 820.4 for the execution or enforcement of the law by public
13 officers exercising due care.

14 **FIFTY-THIRD AFFIRMATIVE DEFENSE:**

15 53. As a separate and distinct affirmative defense, answering Defendant
16 alleges answering Defendant is not liable by operation of California Government
17 *Code* § 820.6 for injury caused by acts done in good faith, without malice, and under
18 the apparent authority of an enactment that is unconstitutional, invalid, or
19 inapplicable.

20 **FIFTY-FOURTH AFFIRMATIVE DEFENSE:**

21 54. As a separate and distinct affirmative defense, answering Defendant
22 alleges answering Defendant is not liable by operation of *California Government*
23 *Code* §§ 815.2(b) and 820.8, in that the injuries and damages, if any, were caused by
24 the acts or omissions of other persons, and not answering Defendant.

25 **FIFTY-FIFTH AFFIRMATIVE DEFENSE:**

26 55. As a separate and distinct affirmative defense, answering Defendant
27 alleges that Plaintiffs failed to comply with the California Tort Claims Act.

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FIFTY-SIXTH AFFIRMATIVE DEFENSE:

56. As a separate and distinct affirmative defense, answering Defendant alleges that Plaintiffs' claims are barred by Plaintiffs' failure to comply with the administrative claim provisions of *California Government Code* § 910, et. seq.

FIFTY-SEVENTH AFFIRMATIVE DEFENSE:

57. As a separate and distinct affirmative defense, answering Defendant alleges answering Defendant's conduct did not cause the constitutional violations alleged in Plaintiffs' Complaint.

FIFTY-EIGHTH AFFIRMATIVE DEFENSE:

58. Answering Defendant alleges that in the event that they prevail at trial, or by way of dispositive motion, they will be entitled to recovery of reasonable attorneys' fees and costs under *California Code of Civil Procedure* § 1038 and Title 42 U.S.C. § 1988.

FIFTY-NINTH AFFIRMATIVE DEFENSE:

59. As a separate and distinct affirmative defense, answering Defendant alleges the Plaintiffs' claims are barred by the failure of Plaintiffs to exhaust all administrative remedies including, but not limited to, all remedies pursuant to 42 U.S.C. §1977.

ADDITIONAL AFFIRMATIVE DEFENSE

Defendant is informed and believes, and thereon alleges, that they have insufficient knowledge or information on which to form a belief as to whether additional any unstated affirmative defenses are available. Defendant reserves the right to assert additional affirmative defenses in the event discovery reveals that so doing would be appropriate.

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HURRELL CANTRALL LLP
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LOS ANGELES, CALIFORNIA 90017
TELEPHONE (213) 426-2000

1 WHEREFORE, Defendant prays that:

2 A. Plaintiffs take nothing by reason of their Complaint;

3 B. Plaintiffs' Complaint be dismissed with prejudice;

4 C. Defendant recover her costs of suit; and

5 D. Defendant be awarded such further relief as the Court deems just and
6 proper.

HURRELL CANTRALL LLP

7 DATED: May 14, 2024
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9

10 By: /s/ Nicole G. Ortega

11 THOMAS C. HURRELL

12 JORDAN S. STERN

13 NICOLE G. ORTEGA

14 Attorneys for Defendants COUNTY OF
15 LOS ANGELES, BLAKE RUNGE and
16 BRENDA ALCANTARA
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DEFENDANT DEMANDS A TRIAL BY JURY

Defendant BRENDA ALCANTARA, hereby respectfully demand a trial by jury in the above-entitled action. This demand is made to all claims, matters, and issues to which Defendant may legally be entitled to demand a jury.

DATED: May 14, 2024

HURRELL CANTRALL LLP

By: /s/ Nicole G. Ortega

THOMAS C. HURRELL

JORDAN S. STERN

NICOLE G. ORTEGA

Attorneys for Defendants COUNTY OF
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